

## § 60.2845

### **§ 60.2845 How do I comply with the increment of progress for achieving final compliance?**

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected incinerator is brought online, all necessary process changes and air pollution control devices would operate as designed.

### **§ 60.2850 What must I do if I close my air curtain incinerator and then restart it?**

(a) If you close your incinerator but will reopen it prior to the final compliance date in your State plan, you must meet the increments of progress specified in § 60.2815.

(b) If you close your incinerator but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations on the date your incinerator restarts operation.

### **§ 60.2855 What must I do if I plan to permanently close my air curtain incinerator and not restart it?**

If you plan to close your incinerator rather than comply with the State plan, submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

### **§ 60.2860 What are the emission limitations for air curtain incinerators?**

(a) After the date the initial stack test is required or completed (whichever is earlier), you must meet the limitations in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times, and each malfunction must not exceed 3 hours.

## 40 CFR Ch. I (7–1–04 Edition)

### **§ 60.2865 How must I monitor opacity for air curtain incinerators?**

(a) Use Method 9 of appendix A of this part to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8 no later than 180 days after your final compliance date.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

### **§ 60.2870 What are the recordkeeping and reporting requirements for air curtain incinerators?**

(a) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least 5 years.

(b) Make all records available for submittal to the Administrator or for an inspector's onsite review.

(c) Submit an initial report no later than 60 days following the initial opacity test that includes the information specified in paragraphs (c) (1) and (2) of this section.

(1) The types of materials you plan to combust in your air curtain incinerator.

(2) The results (each 6-minute average) of the initial opacity tests.

(d) Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date and keep a copy onsite for a period of 5 years.

## MODEL RULE—DEFINITIONS

### **§ 60.2875 What definitions must I know?**

Terms used but not defined in this subpart are defined in the Clean Air Act and subparts A and B of this part.

*Administrator* means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or Administrator of a State Air Pollution Control Agency.

*Agricultural waste* means vegetative agricultural materials such as nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse,

orchard prunings, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.

*Air curtain incinerator* means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

*Auxiliary fuel* means natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

*Bag leak detection system* means an instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (i.e., baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

*Calendar quarter* means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

*Calendar year* means 365 consecutive days starting on January 1 and ending on December 31.

*Chemotherapeutic waste* means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

*Clean lumber* means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

*Commercial and industrial solid waste incineration (CISWI) unit* means any combustion device that combusts commercial and industrial waste, as defined in this subpart. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or indus-

trial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

*Commercial and industrial waste* means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

*Contained gaseous material* means gases that are in a container when that container is combusted.

*Cyclonic barrel burner* means a combustion device for waste materials that is attached to a 55 gallon, open-head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion air into the drum in a cyclonic manner to enhance the mixing of waste material and air.

*Deviation* means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

*Dioxins/furans* means tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

*Discard* means, for purposes of this subpart and 40 CFR part 60, subpart DDDD, only, burned in an incineration unit without energy recovery.

*Drum reclamation unit* means a unit that burns residues out of drums (e.g., 55 gallon drums) so that the drums can be reused.

*Energy recovery* means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

*Fabric filter* means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

*Low-level radioactive waste* means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

*Malfunction* means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

*Modification* or *modified CISWI unit* means a CISWI unit you have changed later than June 1, 2001 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to

calculate these costs, see the definition of CISWI unit.

(2) Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

*Part reclamation unit* means a unit that burns coatings off parts (e.g., tools, equipment) so that the parts can be reconditioned and reused.

*Particulate matter* means total particulate matter emitted from CISWI units as measured by Method 5 or Method 29 of appendix A of this part.

*Pathological waste* means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

*Rack reclamation unit* means a unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be reused.

*Reconstruction* means rebuilding a CISWI unit and meeting two criteria:

(1) The reconstruction begins on or after June 1, 2001.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

*Refuse-derived fuel* means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

*Shutdown* means the period of time after all waste has been combusted in the primary chamber.

*Solid waste* means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other

## Environmental Protection Agency

## Pt. 60, Subpt. DDDD, Table 2

discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014). For purposes of this subpart and subpart CCCC, only, solid waste does not include the waste burned in the fifteen types of units described in § 60.2555.

*Standard conditions*, when referring to units of measure, means a temperature of 68 °F (20 °C) and a pressure of 1 atmosphere (101.3 kilopascals).

*Startup period* means the period of time between the activation of the system and the first charge to the unit.

*Wet scrubber* means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

*Wood waste* means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

TABLE 1 TO SUBPART DDDD OF PART 60—MODEL RULE—INCREMENTS OF PROGRESS AND COMPLIANCE SCHEDULES

Comply with these increments of progress	By these dates <sup>a</sup>
Increment 1—Submit final control plan .....	(Dates to be specified in State plan)
Increment 2—Final compliance .....	(Dates to be specified in State plan) <sup>b</sup>

<sup>a</sup> Site-specific schedules can be used at the discretion of the State.

<sup>b</sup> The date can be no later than 3 years after the effective date of State plan approval or December 1, 2005.

TABLE 2 TO SUBPART DDDD OF PART 60—MODEL RULE—EMISSION LIMITATIONS

For the air pollutant	You must meet this emission limitation <sup>a</sup>	Using this averaging time	And determining compliance using this method
Cadmium .....	0.004 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part)
Carbon monoxide ....	157 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 10, 10A, or 10B, of appendix A of this part)
Dioxins/furans (toxic equivalency basis).	0.41 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 23 of appendix A of this part)
Hydrogen chloride ...	62 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 26A of appendix A of this part)
Lead .....	0.04 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part)
Mercury .....	0.47 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part)
Opacity .....	10 percent .....	6-minute averages .....	Performance test (Method 9 of appendix A of this part)
Oxides of nitrogen ...	388 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Methods 7, 7A, 7C, 7D, or 7E of appendix A of this part)

For the air pollutant	You must meet this emission limitation <sup>a</sup>	Using this averaging time	And determining compliance using this method
Particulate matter ....	70 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 5 or 29 of appendix A of this part)
Sulfur dioxide .....	20 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 6 or 6c of appendix A of this part)

<sup>a</sup> All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

TABLE 3 TO SUBPART DDDD OF PART 60—MODEL RULE—OPERATING LIMITS FOR WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitor using these minimum frequencies		
		Data measurement	Data recording	Averaging time
Charge rate .....	Maximum charge rate.	Continuous .....	Every hour .....	Daily (batch units). 3-hour rolling (continuous and intermittent units) <sup>a</sup>
Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous .....	Every 15 minutes ...	3-hour rolling <sup>a</sup>
Scrubber liquor flow rate.	Minimum flow rate ..	Continuous .....	Every 15 minutes ...	3-hour rolling <sup>a</sup>
Scrubber liquor pH	Minimum pH .....	Continuous .....	Every 15 minutes ...	3-hour rolling <sup>a</sup>

<sup>a</sup> Calculated each hour as the average of the previous 3 operating hours.

TABLE 4 TO SUBPART DDDD OF PART 60—MODEL RULE—TOXIC EQUIVALENCY FACTORS

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin .....	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin .....	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin .....	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin .....	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin .....	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin .....	0.01
octachlorinated dibenzo-p-dioxin .....	0.001
2,3,7,8-tetrachlorinated dibenzofuran .....	0.1
2,3,4,7,8-pentachlorinated dibenzofuran .....	0.5
1,2,3,7,8-pentachlorinated dibenzofuran .....	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran .....	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran .....	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran .....	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran .....	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran .....	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran .....	0.01
octachlorinated dibenzofuran .....	0.001

TABLE 5 TO SUBPART DDDD OF PART 60—MODEL RULE—SUMMARY OF REPORTING REQUIREMENTS<sup>a</sup>

Report	Due date	Contents	Reference
Waste Management Plan.	No later than the date specified in table 1 for submittal of the final control plan.	• Waste management plan .....	§ 60.2755.
Initial Test Report ....	No later than 60 days following the initial performance test.	• Complete test report for the initial performance test • The values for the site-specific operating limits • Installation of bag leak detection systems for fabric filters	§ 60.2760.

Environmental Protection Agency

Pt. 60, Subpt. DDDD, Table 5

Report	Due date	Contents	Reference
Annual Report .....	No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	<ul style="list-style-type: none"> <li>Name and address .....</li> <li>Statement and signature by responsible official</li> <li>Date of report</li> <li>Values for the operating limits</li> <li>If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period</li> <li>Highest recorded 3-hour average and the lowest 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported</li> <li>Information for deviations or malfunctions recorded under § 60.2740(b)(6) and (c) through (e)</li> <li>If a performance test was conducted during the reporting period, the results of the test</li> <li>If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2155(a) or (b) were met</li> <li>Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours but less than 2 weeks</li> </ul>	§§ 60.2765 and 60.2770.
Emission Limitation or Operating Limit Deviation Report.	By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	<ul style="list-style-type: none"> <li>Dates and times of deviations .....</li> <li>Averaged and recorded data for these dates</li> <li>Duration and causes for each deviation and the corrective actions taken</li> <li>Copy of operating limit monitoring data and any test reports</li> <li>Dates, times, and causes for monitor downtime incidents</li> <li>Whether each deviation occurred during a period of startup, shutdown, or malfunction</li> </ul>	§§ 60.2775 and 60.2780.
Qualified Operator Deviation Notification.	Within 10 days of deviation .....	<ul style="list-style-type: none"> <li>Statement of cause of deviation ..</li> <li>Description of efforts to have an accessible qualified operator</li> <li>The date a qualified operator will be accessible</li> </ul>	§ 60.2785(a)(1).
Qualified Operator Deviation Status Report.	Every 4 weeks following deviation ..	<ul style="list-style-type: none"> <li>Description of efforts to have an accessible qualified operator</li> <li>The date a qualified operator will be accessible</li> <li>Request for approval to continue operation</li> </ul>	§ 60.2785(a)(2).
Qualified Operator Deviation Notification of Resumed Operation.	Prior to resuming operation .....	<ul style="list-style-type: none"> <li>Notification that you are resuming operation</li> </ul>	§ 60.2785(b)

<sup>a</sup> This table is only a summary, see the referenced sections of the rule for the complete requirements.